

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Keith Campbell et al.) Group Art Unit: 1632
Serial No.: 09/989,126)) Examiner: D. Crouch
Filed: November 21, 2001))
	<i>)</i>

For:

UNACTIVATED OOCYTES AS CYTOPLAST

RECIPIENTS FOR NUCLEAR TRANSFER

Assistant Commissioner for Patents Washington, DC 20231

Sir:

SUBMISSION OF TERMINAL DISCLAIMERS

Applicants submit herewith three (3) Terminal Disclaimers in the abovereferenced application, each of which has been executed by applicants' attorney of record on behalf of the assignees (Roslin Institute and Department for Environment, Food & Rural Affairs).

Please associate these papers with the above-referenced application. The requisite fee of \$330 is enclosed.

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

Please grant any extensions of time required to enter this paper and charge any additional required fees to our deposit account 06/0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: April 11, 2002

Kenneth J. Weyers

Reg. No. 25,146 Tel: 202-408-4000 Fax: 202-408-4400

E-mail: ken.meyers@finnegan.com

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re A	Application of:)
CAMF	BELL et al.) Group Art Unit: 1632
Serial	No.: 09/989,126) Examiner: D. Crouch
Filed:	November 21, 2001))
For:	UNACTIVATED OOCYTES AS CYTOPLAST RECIPIENTS FOR NUCLEAR TRANSFER)))

Commissioner for Patents and Trademarks Washington, DC 20231

Sir:

TERMINAL DISCLAIMER

Assignees, Roslin Institute and Department for Environment, Food & Rural Affairs (having taken over the governmental functions of the Minister of Agriculture, Fisheries & Food), represent that they are the assignees of the entire right, title and interest in and to the instant application, Application No. 09/989,126, filed November 21, 2001.

Assignees hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. 6,252,133. Assignees hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior

FINNEGAN HENDERSON FARABOW GARRETT & DUNNER LLP

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patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignees do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: April 11, 2002

Kenneth J. Mey

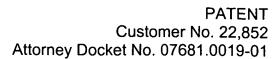
Reg. No. 25,146

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FARABOW GARRETT& DUNNERLLP

DATE: <u>(2</u> /2	0/02.	APPL. S.N.: 09_	989126
TO EXAMINER:	Cronch	ART UNIT: 163	<u>a</u> / /
	ROOM	MAILROOM DATE	4/11/02
approplate form paragra disagree with my analysi	e reviewed the submitted T.D. with the re phs identified by this informal memo in y is or have questions at all about the acce IS AN INFORMAL, INTERNAL MEMO	our next office action to notify applicate planting of the T.D., please see me of the T.D.	ant about the T.D. If you or our Special Program
The T.D. is PROPE	R and has been recorded. (See 14.23).		
[] The T.D. is NOT PR	ROPER and has not been accepted for the	ne reason(s) checked below. (See 14	1.24).
[] The recording fee of to a deposit account. (Se		or is there any pre authorization in the	application file to charge
[] Application Examine	r has not processed T.D. fee. (See fee a	uthorization).	
[] The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T.D. has not stated his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent. (See 14.26 and 14.26.01).			
[] The T.D. lacks the er Rule 321(c). (See 14.27,	nforceable only during the common ower 14.27.01).	ship clause needed to overcome a do	ouble patenting rejection,
	icular claims(s), which is not acceptable be granted. MPEP 1490. (See 14.26,		rminal portion of the
[] has failed to	ed the terminal disclaimer: state his/her capacity to sign for the bus nized as an officer of the assignee, (See		
and frame specified as to	ence of a chain of title from the original in where such evidence is recorded in the other specifying of the reel and frame may	office. 37 CFR 3.73(b). (See 1140 O.	.G. 72). <i>NOTE:</i> This
[] No "statement" specific knowledge and belief the transfer to the control of t	ying that the evidentiary documents have tie is in the assignee seeking to take acti	been reviewed and that, to the best on. 37 CFR 3.73(b). (See 1140 O.G	of the assignee's . 72) (See 14.31).
[] The T.D. is not signed	l. (See 14.26, 14.26.3). or 14.26.03 if TC) is not signed by all the owners.	
[] Attorney not of record	in oath/deci. or a seperate paper filed ap	pointing a new or associate attorney.	(See 14.29.01).
[] The serial number of the missing or incorrect. (See	he application (or the number of the pate 14.32).	nt) which forms the basis for the dou	ble patenting is
[] The serial number of the or incorrect. (See 14.26, 14	nls application (or the number of the pate 1.26.04 or 14.26.05).	nt in reexam or reissue case(s) being	disclaimed is missing
[] The period disclaimed	is incorrect or not specified. (See 14.27,	14.27.2 or 14.27.3)(For Samples 1	4.27.04 and 14.27.05)
[] Other:			
Suggestion to request r	refund of \$ (See 14.35, 14.	.36).	············
	APPLICATION IS IN CONDITION FOR		VE INFORMALTIES
FOR SAMPLE TERM	IINAL DISCLAIMERS AND CE	RTIFICATES:	
[] Sample of a TD over a p	pending application and assignee Certific orlor patent and assignee Certificate (Sec icate under 37 CFR 3.73 (b) (See 14.39)	e 14.38).	



Group Art Unit: 1632

Examiner: D. Crouch

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of:)
CAMPBELL et al.		
Serial	No.: 09/989,126)
Filed:	November 21, 2001)
For:	UNACTIVATED OOCYTES AS CYTOPLAST RECIPIENTS FOR NUCLEAR TRANSFER)
	nissioner for Patents and Trademarks ington, DC 20231	
Sir:		

TERMINAL DISCLAIMER

Assignees, Roslin Institute and Department for Environment, Food & Rural Affairs (having taken over the governmental functions of the Minister of Agriculture, Fisheries & Food), represent that they are the assignees of the entire right, title and interest in and to the instant application, Application No. 09/989,126, filed November 21, 2001.

Assignees hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 09/989,125, filed November 21, 2001, of any patent on the pending second Application. Assignees hereby agree that any patent

DUNNER LLP 1300 I Street, NW Washington, DC 20005 202.408.4000 Fax 202.408.4400

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so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on Application No. 09/989,125 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignees do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issuing from any patent granted on Application No. 09/989,125, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: April 11, 2002

Kenneth J. Meyers Reg. No. 25,146

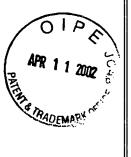
FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

1/20/60		APPL. S.N.:09198912	/
DATE: (0/00/02 ·			0
TO EXAMINER:		ART UNIT: _/632	/
	ROOM	MAILROOM DATE	/0 2
approplate form paragraphs identified by the disagree with my analysis or have question	mitted T.D. with the results his informal memo in your n hs at all about the acceptabli	T.D(S). FILED as set forth below. If you agree, please use the ext office action to notify applicant about the T.D. lity of the T.D., please see me or our Special Pry. IT MUST NOT BE MAILED TO APPLICANT	O. If you rogram
The T.D. is PROPER and has been recorded. (See 14.23).			
[] The T.D. is NOT PROPER and has n	ot been accepted for the rea	ison(s) checked below. (See 14.24).	
[] The recording fee of \$ has to a deposit account. (See 14.26.07)	not been submitted nor is the	nere any pre authortzation in the application file t	lo charge
[] Application Examiner has not processe	ed T.D. fee. (See fee autho	rization).	
[] The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T.D. has not stated his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent. (See 14.26 and 14.26.01).			st .26 and
[] The T.D. lacks the enforceable only du Rule 321(c). (See 14.27, 14.27.01).	ring the common owership o	clause needed to overcome a double patenting r	ejection,
[] It is directed to a particular claims(s), w term of the entire patent to be granted. MP	hich is not acceptable since EP 1490. (See 14.26, 14.20	• "the disclaimer must be of a terminal portion of 6.02).	í the
[] The person who signed the terminal dis [] has falled to state his/her capa [] is not recognized as an officer	acity to sign for the business	s entity, (See 14.28). 9 and possibly 14.29.01).	
and frame specified as to where such evider	nce is recorded in the office.	or(s) to assignee has been submitted, nor is the 37 CFR 3.73(b). (See 1140 O.G. 72). <u>NOTE:</u> und in the T.D. <u>or</u> in a seperate paper <u>submitte</u>	This
		reviewed and that, to the best of the assignee's 7 CFR 3.73(b). (See 1140 O.G. 72) (See 14.31	
[] The T.D. is not signed. (See 14.26, 14.2	26.3). or 14.26.03 if TD is n	ot signed by all the owners.	
[] Attorney not of record in oath/decl. or a s	seperate paper filed appointi	ng a new or associate attorney. (See 14.29.01).	
[] The serial number of the application (or timissing or incorrect. (See 14.32).	the number of the patent) wh	nich forms the basis for the double patenting is	
[] The serial number of this application (or or incorrect. (See 14.26, 14.26.04 or 14.26.0		reexam or reissue case(s) being disclaimed is n	nissing
[] The period disclaimed is incorrect or not	specified. (See 14.27, 14.2)	7.2 or 14.27.3)(For Samples 14.27.04 and 14.	.27.05)
[] Other:			-
[] Suggestion to request refund of \$			
[] EXAMINER NOTE: IF APPLICATION IS MAY BE FAXED IN TO THE GROUP	S IN CONDITION FOR ALL	OWANCE ANY OF THE ABOVE INFORMAL	<u>TIES</u>
FOR SAMPLE TERMINAL DISCLA	AIMERS AND CERTI	FICATES:	
 Sample of a 1D over a pending application and assignee Certificate (See 14.37). Sample of a TD over a prior patent and assignee Certificate (See 14.38). Sample Assignee Certificate under 37 CFR 3.73 (b) (See 14.39) 			



TECH CENTER 1600/2900 PATENT
Customer No. 22,852
Attorney Docket No. 07681.0019-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re A	Application of:)
CAMF	PBELL et al.) Group Art Unit: 1632
Serial	No.: 09/989,126) Examiner: D. Crouch
Filed:	November 21, 2001	,) \
For:	UNACTIVATED OOCYTES AS CYTOPLAST RECIPIENTS FOR NUCLEAR TRANSFER	,))

Commissioner for Patents and Trademarks Washington, DC 20231

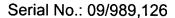
Sir:

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so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on Application No. 09/989,128 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignees do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issuing from any patent granted on Application No. 09/989,128, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: <u>April 11, 2002</u>

Kenneth J. Meyers Reg. No. 25,146

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

DATE: 6/20/02.	APPL. S.N.: <u>09/ 989/26</u>	
TO EXAMINER: CODE Ch	ART UNIT: 1632	
ROOM	MAILROOM DATE 4/11/02	
AFTER FINAL YES NO NUMBE INSTRUCTIONS: I have reviewed the submitted T.D. with the appropriate form paragraphs identified by this informal memo in disagree with my analysis or have questions at all about the acc Examiner. THIS MEMO IS AN INFORMAL, INTERNAL MEMO SHOULD A COPY BE IN LEFT IN FILE.	your next office action to notify applicant about the T.D. If you eptablify of the T.D., please see me or our Special Program	
The T.D. is PROPER and has been recorded. (See 14.23)	•	
[] The T.D. is NOT PROPER and has not been accepted for	the reason(s) checked below. (See 14.24).	
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[] It is directed to a particular claims(s), which is not acceptable term of the entire patent to be granted. MPEP 1490. (See 14.2)		
[] The person who signed the terminal disclaimer: [] has falled to state his/her capacity to sign for the be [] is not recognized as an officer of the assignee, (Se	usiness entity, (See 14.28). e 14.29 and possibly 14.29.01).	
[] No documentary evidence of a chain of title from the original and frame specified as to where such evidence is recorded in the documentary evidence or the specifying of the reel and frame ma applicant. (See 14.30).	office, 37 CFR 3.73(b). (See 1140 O.G. 72). <i>NOTE:</i> This	
[] No "statement" specifying that the evidentiary documents have knowledge and belief the title is in the assignee seeking to take according to the control of the control		
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[] Attorney not of record in oath/decl. or a seperate paper filed a	appointing a new or associate attorney. (See 14.29.01).	
[] The serial number of the application (or the number of the parmissing or incorrect. (See 14.32).	tent) which forms the basis for the double patenting is	
[] The serial number of this application (or the number of the pa or incorrect. (See 14.26, 14.26.04 or 14.26.05).	tent in reexam or reissue case(s) being disclaimed is missing	
[] The period disclaimed is incorrect or not specified. (See 14.2	7, 14.27.2 or 14.27.3)(For Samples 14.27.04 and 14.27.05)	
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[] Suggestion to request refund of \$ (See 14.35, 1	4.36).	
[] EXAMINER NOTE: IF APPLICATION IS IN CONDITION FOR MAY BE FAXED IN TO THE GROUP	OR ALLOWANCE ANY OF THE ABOVE INFORMALTIES	
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